

H.A

Notice of Allowability	Application No.	Applicant(s)	
	10/604,800	SALASOO ET AL.	
	Examiner	Art Unit	
	Aaron Piggush	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed February 21, 2006.
2. ☒ The allowed claim(s) is/are 5-9, 27, 29-31, 33 and 35-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>3/6/2006</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|


Adolf Deneke Berhane
Primary Examiner

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick Yoder on Monday, March 6, 2006.

In claim 27, line 1, replace "one" with -two--.

On line 7, replace "one" with -two--.

Allowable Subject Matter

2. Claims 5-9, 27, 29-31, 33, and 35-39 are allowed.
3. The following is an examiner's statement of reasons for allowance: See previous office action (under "Allowable Subject Matter"), the response to the office action from applicant (under "Remarks"), and the examiner's amendment, as noted above.

Additionally, in the Response to the Final Office Action, under the "Objection to the Claims" section, the applicant states that the examiner indicated that the subject matter of claims 32 and 34 was allowable. This statement is incorrect (unless it is interpreted to mean that the subject matter of claim 32 was allowable when combined with the subject matter of claim 34) due to the fact that claim 32 was still rejected in the final office action, as seen on page 9 of that

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office action. Claim 34, which was dependent upon claim 32 (and therefore claim 31 also), had the allowable subject matter. However, because the subject matter of claims 32 and 34 was moved into claim 31 in the amendment after final, claim 31 is found allowable, along with all of its dependent claims.

Furthermore, claim 27 recites a method for controlling two or more energy storage banks wherein a remaining life cycle (the life cycle is interpreted as the number of remaining discharge/charge cycles wherein the storage bank will still be efficiently operable, and wherein the life cycle decreases as the internal resistance of the storage bank increases; the life cycle is also related to storage bank age, wherein a newer storage bank has a higher remaining life cycle and a lower internal resistance) is determined for each of the banks, and a total amount of the commanded charging and discharging power is allocated in accordance with the remaining life cycle, wherein a flow of said power is prioritized in accordance with the bank having the highest remaining life cycle. This is interpreted wherein said power refers to charging and discharging power, such that the energy storage bank with the highest remaining life cycle is distributed the charging and discharging power first. The life cycle is not interpreted as the energy storage bank's state of charge or voltage level, although it is related to the state of health of the energy storage bank.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

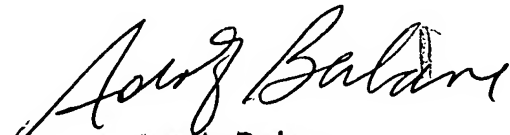
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Piggush whose telephone number is 571-272-5978. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl Easthom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AP


Adelf Deneko Berhane
Primary Examiner